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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,271	07/11/2001	Hawley K. Rising III	020699-002500US	2025
8791	7590	04/24/2007	EXAMINER	
BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1030			VO, TUNG T	
			ART UNIT	PAPER NUMBER
			2621	
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	04/24/2007	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/904,271	RISING ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Tung Vo	2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 20 February 2007.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-5,7-14 and 16-28 is/are pending in the application.
  - 4a) Of the above claim(s) 6,15 and 29 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-5, 7-14, and 16-28 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____   | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION*****Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, 10-14, 19-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Lindblad et al. (US 6,225,993).

Re claims 1-5, 10-14, 19-23, Lindblad teaches in a communication system (figs. 1-3), a method of optimizing transmissions of content descriptions between a server and one or more clients (150 of fig. 2), a content description in a first ADL (application descriptive language) (252 of fig. 1), which is a subset of a DDL (description definition language) (212 and 214 of fig. 3), being translated into binary for communication to a first client (204 of fig. 2), the method comprising; receiving, by the first client, the binary communication corresponding to the content description in the first ADL (bit pump, 254 of fig. 2, Note transmitting the bit pump to the decoder); and translating, by the first client, the binary communication into the content description in the first ADL (204 of fig. 2), the binary communication translated using a decoding codebook (col. 5, lines 47-56) that is generated by the first client using a frequency table (MPEG-1 encoding format would have frequency table), and a transform document (206 of fig. 1) generated from the DDL by a computer (100 of fig. 1), the transform document for

translating the DDL into the first ADL (bit pump into the ADL), and the frequency table specifying occurrences for first ADL elements within the content description (Note decoding motion video signals according to the MPEG-1 encoding format, 408 of fig. 4); generating, by the server, the content description in the first ADL from a content description in the DDL (col. 6, lines 7-col. 7, line 22); generating, by the server, the transform document (col. 7, lines 23-28); generating, by the server, the frequency table for translating the content description in the first ADL into the binary communication (212 of fig. 4; col. 7, lines 64-67, Note the server executed the request); downloading, by the first client, the frequency table and the transform document, prior to receiving the binary communication (212 of fig. 4).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 7-14, and 16-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bergman et al. (US 6,564,263) in view of Li et al. (US 6,345,279).

Re claims 1-5, 7-14, and 16-28, Bergman teaches in communication system (figs. 3 and 8), a method of optimizing transmissions between a server and an one or more clients (figs. 1 and 2), a content description (col. 8, lines 9-68) in a first ADL (application descriptive language) (col. 20, line 49- col. 23, line 53) which is a subset of DDL (Description definition language) being translated into binary for communication to the first client (810 of fig. 8, Note translation

(Modality) video to text, text to audio, and images to text; see also fig. 9), the method comprising: receiving, by the first client (103 of fig. 1), the binary communication corresponding to the content description in the first ADL (figs. 11-15); translating (1706 of fig. 17), by the first client, the binary communication into the first ADL (Note a binary code, any compression method produces binary code, which are 0 and 1), the binary communication translated using decoding code book generated by the first client using a frequency table (Note transcoding using conventional decompression and compression technique in the frequency domain, DCT domain having a codebook; see figure. 17), and a transform document (fig. 15; Note the baseline association 1509 constitutes the original collection of modalities for the multimedia document. These modalities can include, for example, as shown in FIG. 15; Video-i 1503, Audio-i 1504, Image-i 1505, and Text-i 1506. Also shown in FIG. 15 is Info-Pyramid DS 1501), the transform document for translating MPEG-7 DDL into the first ADL (col. 18, lines 11-15, Note a stream description, as defined by the present invention, is preferably a mapping from an elementary (or terminal) object or a composite (or non-terminal) object to a serial logical bit stream), the frequency table specifying occurrences for first ADL elements within the content description (col. 14, line 43-col.15, line 3), generating, by the server, the content description in the first ADL from a content description in the DDL (col. 14, lines 43-68); generating, by the server, the transform document (col. 14, lines 61-68); the frequency table for translating the first ADL into binary; downloading, by the first client, the frequency table and the transform document, prior to receiving the binary communication (fig. 9; translation and compression); translating, by the server, the binary communication into the first ADL and the first ADL to the MPEG-7DDL and translating the MPEG-7 DDL into a second ADL different from the first ADL (fig. 4; Note the

InfoPyramid of the present system preferably defines methods and/or criteria for generating, manipulating, transcoding and otherwise transforming the source multimedia content as desired, or as suitable for a particular target platform, device, or class of devices; see also fig. 9); wherein the compressed image that is the first ADL in binary communication is forwarded to the server (FIDELLITY, LOSSY COMPRESSION of fig. 9); translating the second ADL into binary communication for forwarding to the second client (figs. 17-18), the transform document for translating MPEG-7 into the first ADL (col. 14, line 58-col. 15, line 3).

It is noted that Bergman does not particularly disclose the transform document generated from the DDL by a computer; and translating the content description in the DDL into a second ADL that is different from the first ADL and translating the content description in the second ADL into binary communication for forwarding to the second client as claimed.

However, Li et al. teaches the transform document generated from the DDL (300 of fig. 3) by a computer (fig. 8; col. 12, lines 36-60) and translating the content description in the DDL into a second ADL that is different from the first ADL and translating the content description in the second ADL into binary communication for forwarding to the second client (fig. 3, and fig. 7; Note clients 703).

Therefore, taking the teachings of Bergman and Li as a whole, it would have been obvious to one of ordinary skill in the art to modify the computer (fig. 8) of Li into the system of Bergman provide the server shares the benefit of transcoding proxies in speeding content delivery as the customized content is often much smaller than the original content. Doing so would allow the system to transcode each of content items into multiple resolution and modality versions so that they can be rendered on different devices.

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung Vo whose telephone number is 571-272-7340. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Tung Vo  
Primary Examiner  
Art Unit 2621